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**Document(s) Attached: Response to Notice of Incomplete Reply,  
Petition for Revival, Credit Card Payment Form  
Total Pages: 7 (including this page)**

In re application of:	Joel P. DeSouza et al.
Serial Number:	10/604,146
Filing Date:	June 27, 2003
Attorney:	H. Daniel Schnurmann IBM Corporation Intellectual Property Law, Dept 18G Building 321, M/S 482 2070 Route 52 Hopewell Junction, NY 12533

**PLEASE DELIVER TO:**

Attn: Office of Petitions  
MS Petition

**FAX NO:** 571-273-8300

**FROM:** Daryl K. Neff  
4 Eugene Circle  
Lincoln Park, NJ 07035  
Phone 973-316-2612

FIS920030091US1

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PTO/SB/64 (10-05)

Approved for use through 07/31/2006 OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	<b>Docket Number (Optional)</b> FIS920030091US1
<p>First named inventor: Joel P. DeSouza</p> <p>Application No.: 10/604.146 <span style="float:right">Art Unit: 2813</span></p> <p>Filed: June 27, 2003 <span style="float:right">Examiner: Jack S. J. Chen</span></p> <p>Title: SIMOX METHOD OF MAKING A BURIED OXIDE LAYER USING BASE IMPLANT AND ROOM TEMPERATURE IMPLANT</p> <p>Attention: Office of Petitions  <b>Mail Stop Petition</b>          Commissioner for Patents          P.O. Box 1450          Alexandria, VA 22313-1450          FAX (571) 273-8300</p> <p align="center">NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained</p> <p align="center"><b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b></p> <p>NOTE: A grantable petition requires the following items:</p> <ol style="list-style-type: none"> <li>(1) Petition fee;</li> <li>(2) Reply and/or issue fee;</li> <li>(3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and</li> <li>(4) Statement that the entire delay was unintentional.</li> </ol> <p>1. Petition fee</p> <p><input type="checkbox"/> Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Other than small entity - fee \$ <u>1500.00</u> (37 CFR 1.17(m))</p> <p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action in the form of <u>Response to Notice of Incomplete Reply</u> (identify type of reply):</p> <p><input type="checkbox"/> has been filed previously on _____</p> <p><input checked="" type="checkbox"/> is enclosed herewith.</p> <p>B. The issue fee and publication fee (if applicable) of \$ <u>06/08/2006 TL0111 00000046 10604146</u></p> <p><input type="checkbox"/> has been paid previously on <u>01 EC:1453</u> <span style="float:right">1500.00 OP</span></p> <p><input type="checkbox"/> is enclosed herewith.</p>	

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

### WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

  
 Signature

June 8, 2006  
 Date

Daryl K. Neff  
 Typed or printed name

38,253  
 Registration Number, if applicable

4 Eugene Circle  
 Address

973-316-2612  
 Telephone Number

Lincoln Park, NJ 07035  
 Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

June 8, 2006

Date

  
 Signature  
 Daryl K. Neff

Typed or printed name of person signing certificate

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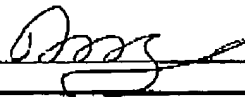
JUN 08 2006

I hereby certify that this correspondence is being facsimile transmitted to the USPTO addressed to: Office of Petitions, Mail Stop Petition, Commissioner for Patents, Alexandria, VA 22313-1450 on this date: June 8, 2006.

Name of Depositor

Daryl K. Noff

Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: <b>Joel P. DeSouza et al.</b>	Date: <b>June 8, 2006</b>
Serial Number: <b>10/604,146</b>	Examiner: <b>Jack S. J. Chen</b>
Filed: <b>June 27, 2003</b>	Group Art Unit: <b>2813</b>
Title: <b>SIMOX METHOD OF MAKING A BURIED OXIDE LAYER USING BASE IMPLANT AND ROOM TEMPERATURE IMPLANT</b>	H. Daniel Schnurmann IBM Corporation Dept. 18G, B/321, Zip 482 2070 Route 52 Hopewell Junction, NY 12533

**RESPONSE TO NOTICE OF INCOMPLETE REPLY**

Attn: Office of Petitions  
MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Incomplete Reply dated October 31, 2005,  
Applicants submit the following amendments and remarks for the Examiner's  
consideration.

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**REMARKS**

The Notice of Incomplete Reply dated October 31, 2006 states that Applicants' responsive communication filed August 20, 2005 in response to the prior Office Communication requires a statement of whether claim 22 reads on the original elected species of the invention, as illustrated in FIG. 3. Applicants submit that claim 22 does read on the original elected species (FIG. 3), as well as claims 1-2, and 7-8.

In view of the amendments and remarks herein, it is believed that the matters expressed in the Notice of Incomplete Reply have been satisfactorily addressed, and that all claims of the application are now in condition for allowance. However, if for any reason the Examiner does not believe that such action can be taken at this time, the Examiner is requested to telephone the applicants' attorney at the number indicated below to discuss any issues that may remain.

This Response is being filed with a Petition to Revive an Unintentionally Abandoned Application, for which a payment is submitted, attached to such Petition. It is believed that no other fee is due in connection with the filing of this Amendment.

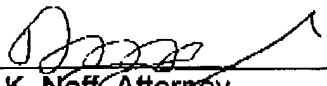
**FIS920030091US1**

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However, if any fee is due, authorization is granted to debit the Deposit Account No. 09-0458 of the Assignee. If there is an overpayment, please credit the same account.

Respectfully submitted,  
Joel P. DeSouza et al.

By:

  
Daryl K. Neff, Attorney  
Registration No. 38,253  
Telephone: (973) 318-2612

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